

**IN THE HIGH COURT OF PUNJAB & HARYANA
AT CHANDIGARH**

**CRM-M No.4028 of 2016 (O&M)
Date of Decision: 09.02.2016**

Ajay Kumar @ Monu

..... Petitioner

Versus

State of Punjab

..... Respondent

CORAM: HON'BLE MR. JUSTICE JASWANT SINGH

Present: Mr. Gurbir Singh Sidhu, Advocate for the petitioner.

Mz. Rimplejeet Kaur, Assistant Advocate General, Punjab
for the respondent/State assisted by A.S.I. Tejinder Singh.

JASWANT SINGH, J. (Oral)

Prayer is for grant of regular bail under Section 439 Cr.P.C. on behalf of the petitioner/accused in case FIR No.127 dated 09.10.2015, under Section 22 of the Narcotic Drugs and Psychotropic Substances Act (for short 'NDPS Act'), registered with Police Station Lahori Gate, District Patiala (**Annexure P-1**).

There is alleged recovery of 70 grams of Intoxicating Powder from the possession of the petitioner/accused.

The petitioner is stated to be in custody since 09.10.2015.

The period of submission of the challan is yet to be over. The FSL report has not been received.

Learned Counsel for the petitioner has relied upon the judgment bearing **CRM-M No.29422 of 2014 titled as 'Paramjit Singh @ Pamma Versus State of Punjab', decided on 03.09.2014**, passed by this Court.

In the above cited judgment, the bar provided under Section 37 of the NDPS Act has not been considered.

After hearing learned Counsel for the parties, no case for grant of regular bail is made out in the light of bar provided under Section 37 of the NDPS Act.

After arguing for sometime, learned Counsel for the petitioner/accused wishes to withdraw the present petition.

Dismissed as withdrawn.

February 09, 2016

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**(JASWANT SINGH)
JUDGE**